

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

UNITED STATES OF AMERICA

v.

GEORGIANNA A.M. GIAMPIETRO

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**Case No. 2:19-cr-00013
Chief Judge Crenshaw**

**MOTION TO EXCUSE APPEARANCE OF
CO-COUNSEL PETER J. STRIANSE, ESQ.,
AT JULY 15, 2022 SENTENCING HEARING**

COMES NOW the Defendant, **Georgianna A.M. Giampietro**, by and through her undersigned counsel, and respectfully requests that this Honorable Court enter an Order excusing the appearance of Co-Counsel Peter J. Strianse, Esq., of the Nashville Bar, at the July 15, 2022 sentencing hearing. In support hereof, Co-Counsel for Defendant Giampietro states as follows:

1. Ms. Giampietro is represented in this case by Charles D. Swift, Esq., Constitutional Law Center for Muslims in America, as Lead Counsel, and by Peter J. Strianse, Esq., of the Nashville Bar as Co-Counsel/Local Counsel.

2. Defendant Giampietro's sentencing hearing is scheduled for Friday, July 15, 2022, at 2:30 p.m. (Docket Entry 434).

3. Undersigned counsel participated in a State court hearing on Wednesday, July 13, 2022, before Davidson County Criminal Court Judge Mark Fishburn in a case styled *State v. Louis Levine*. In preparation for the hearing, counsel met for two (2) hours with Mr. Levine on Tuesday, July 12, 2022, at the Davidson County Sheriff's CDM Facility located on Harding Place to prepare for the hearing. During yesterday's proceeding, counsel was seated right next to Mr. Levine for the approximately forty-five (45) minute hearing. Late yesterday, counsel learned that when Mr. Levine was returned to CDM, he tested positive for COVID-19. Undersigned

counsel was in close contact with Mr. Levine on Tuesday and Wednesday and both parties were unmasked. According to the CDC, if an individual has had close contact exposure to someone with COVID-19, that individual should “get tested at least five days *after* exposure.” (emphasis supplied). This circumstance calls into question counsel’s availability for tomorrow’s sentencing hearing.

4. As the Court is aware, Charles Swift has been lead counsel for quite some time and will be handling the sentencing hearing exclusively tomorrow. He has prepared and filed all of the sentencing-related memoranda.

WHEREFORE, based on the foregoing, Defendant Georgianna A.M. Giampietro respectfully requests that this Honorable Court enter an Order excusing the appearance of Co-Counsel Peter J. Strianse, Esq., of the Nashville Bar, at the July 15, 2022 sentencing hearing.

Respectfully submitted,

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S/ Peter Strianse
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S/ Charles D. Swift
CHARLES D. SWIFT
Attorney for Defendant Giampietro

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent via the Court's electronic filing system unless not registered and, in that event deposited in the United States mail, postage prepaid, to:

Katy Risinger
Philip H. Wehby
Assistant United States Attorneys
110 Ninth Avenue South, Suite A961
Nashville, TN 37203-3870

this 14th day of July, 2022.

S/ Peter J. Strianse
PETER J. STRIANSE